



Board of Zoning Appeals

601 Lakeside Avenue, Room 516

Cleveland, Ohio 44114-1071

[Http://planning.city.cleveland.oh.us/bza/cpc.html](http://planning.city.cleveland.oh.us/bza/cpc.html)

216.664.2580

NOVEMBER 26, 2018

9:30

Calendar No. 18-243:

**4432 E. 156 St./Waste
Collection Appeal**

Ward 1

Joseph T. Jones

William Sancho, owner, appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances and disputes the decision of the hearing examiner in Parking Violations Bureau on September 17, 2018 concerning the City of Cleveland Waste Collection issuance of Civil Infraction Ticket Number WC40006819 issued October 23, 2018 regarding failure to comply with Section 551.111(B) in the Cleveland Codified Ordinances. (Filed October 23, 2018)

9:30

Calendar No. 18-245:

2082 W. 95 Street

Ward 15

Matt Zone

14 Notices

BNP Real Estate LLC., owner, proposes to change use from a two-family dwelling to a three-family dwelling in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 337.03 which states that in a Two family District, a three family-dwelling is not permitted; it is first permitted in a Multi-Family District.
2. Section 337.03(c) The Board of Zoning Appeals, may grant special permit for remodeling of existing dwelling houses to provide for more than two dwelling units but not more than six dwelling units provided that: (1) The square feet of lot area to be allotted to each dwelling unit is in accordance with the area regulations included in Chapter 355: (2) The dwelling units to be created will be not smaller than two (2) rooms and a bathroom; (3) There will be no exterior evidence will be not smaller than two (2) rooms and a bathroom; (3) There will be no exterior evidence that a remodeled dwelling house is occupied by more than two families, except such as may be permitted by the Board; (4) The building when altered or erected and when occupied will conform to all the applicable provisions of the Building and Housing Codes and as the Commissioner of Building and the Commissioner of Housing so certify; (5) Garage space or hard surfaced and drained parking space will be provided upon the premises for the cars of the families to be accommodated on the premises at the rate of not less than one car per family.
3. Section 355.04 which states that the minimum lot area for a three family dwelling is 7,200 square feet; the proposed lot area is 6,498 square feet. (Filed October 25, 2018)

9:30

Calendar No. 18-246:

2324 Lakeside Avenue

Ward 7

Basheer S. Jones

7 Notices

Sixth City Development, owner, proposes to install a new 6 foot tall aluminum fence in a Semi-Industry District. The owner appeals for relief from the strict application of Section 358.05(2) of the Cleveland Codified Ordinances which states that a fence in the actual front yard and in side street yard shall not exceed 4' in height and shall be at least 50% open. A 6' high fence is proposed in actual front yard along Lakeside Ave and in side street along E. 23 Street. (Filed October 29, 2018)

9:30

Calendar No. 18-247:

12021 Wade Park Ave.

Ward 9

Kevin Conwell

16 Notices

B.R. Knez, owner, proposes to construct a new 2 ½ story 1,959 square foot single family house with a detached garage on a 5600 square foot lot in a B1 Two-Family Residential District. The owner appeals for the relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 357.09(b)(2)(B) which states that in a Two Family District no interior side yard, shall be less than five (5) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than (10) feet. However, the width of any such interior side yard shall in no case be less than one fourth (1/4) the height of the main building on the premises. The required side yard is 8'-7" and a 5'-0" side yard is proposed.
2. Section 341.02(b) which states that City Planning approval is required prior to the issuance of a building permit.(Filed October 30, 2018)

9:30

Calendar No. 18-248:

12024 Wade Park Ave.

Ward 9

Kevin Conwell

16 Notices

B.R. Knez, proposes to construct a new 2 ½ story 1,766 square foot single family house with a detached garage on a 4000 square foot Cuyahoga County Land Bank lot in a B1 Two-Family Residential District. The owner appeals for the relief from the strict application of the following sections of the Cleveland Codified Ordinances:

3. Section 357.09(b)(2)(B) which states that in a Two Family District no interior side yard, shall be less than five (5) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than (10) feet. However, the width of any such interior side yard shall in no case be less than one fourth (1/4) the height of the main building on the premises. The required side yard is 8'-6" and a 5'-0" side yard is proposed.
4. Section 341.02(b) which states that City Planning approval is required prior to the issuance of a building permit.(Filed October 30, 2018)

POSTPONED FROM OCTOBER 15, 2018

9:30

Calendar No. 18-173:

15714 Talford Ave.

Ward 1

Joseph T. Jones

35 Notices

Wayne Byrd, owner, proposes to establish use as state licensed residential facility for up to 5 residents in an A1 One Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances

1. Section 325.571 which states that a "Residential Facility" means a publicly or privately operated home or facility, licensed pursuant to state law, that provides accommodations, supervision, and personal care services to an of the following: (a) one (1) or two (2) unrelated person with mental illness; (b) one (1) or two (2) unrelated adults who are receiving residential state supplement payments as defined in the Ohio Revised Code; or (c) three (3) to sixteen (16) unrelated adults.
2. Section 337.02(h) which states that a residential facility for one (1) to five (5) unrelated persons, is permitted in a One Family District provided it is located not less than one thousand (1,000) Feet from another residential facility. Proposed use is within 1,000 feet of another residential facility, Open Arms Adult family house, at 16003 Glendale Avenue. (Filed August 2, 2018- Testimony Taken) POSTPONEMENT MADE AT THE REQUEST OF THE BOARD TO ALLOW TIME FOR THE APPELLANT TO MEET WITH THE COMMUNITY. THIS CASE WAS REINSTATED FROM SEPTEMBER 4 (TO OCTOBER 15) AS THE *APPELLANT DID NOT ATTEND PREVIOUS HEARING DUE TO A FAMILY EMERGENCY.*